IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 720 OF 2003

M/s.Shrenikkumar Himmatlal & Co. & Ors. ...Petitioners
V/s.
Smt.Aparnabai Kesikbhai & Anr. ...Respondents

Shri P.B. Shah for Petitioners.
Shri P.S. Hingorani, APP for State.

CORAM : V.M. KANADE, J.

DATED : AUGUST 2, 2006

P.C. :-

. Heard learned Counsel for the petitioner.

2. The petitioner is assailing the criminal complaint which is filed under Section 138 of the Negotiable Instrument Act on various grounds. The record indicates that chargesheet has been filed.

3. Since the chargesheet has been filed, it is not possible to quash criminal complaint particularly when the petitioner can approach the trial court and seek discharge under the relevant provisions at the appropriate time.

4. The petition, therefore, is dismissed with liberty to the petitioner to apply for discharge under the relevant provisions at the appropriate time.

(V.M. Kanade, J.)